

MELINDA HAAG (CABN 132612)
United States Attorney

MIRANDA KANE (CABN 150630)
Chief, Criminal Division

SUZANNE M. DeBERRY (CABN 259455)
Special Assistant United States Attorney

150 South Almaden Boulevard, Suite 900
San Jose, California 95113
Telephone: (408) 535-5588
Facsimile: (408) 535-5066
suzanne.deberry2@usdoj.gov

Attorneys for the United States

FILED

FEB 01 2011

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	NO. 10-70353 PSG
)	
Plaintiff,)	
)	
v.)	GOVERNMENT'S REQUEST TO
)	DISMISS COMPLAINT; PROPOSED
JOSE LUIS SANCHEZ-OROZCO,)	ORDER
)	
Defendant.)	

COMES NOW THE UNITED STATES OF AMERICA appearing through the undersigned Assistant United States Attorney and moves this Honorable Court for an order dismissing the above-captioned complaint. The facts supporting this request are as follows:

On April 29, 2010, Defendant was charged in the above-captioned complaint. At that time, Defendant was in custody in a district outside of the Northern District of California serving sentence for a state conviction. After being released from custody, Immigration and Customs Enforcement ("ICE") removed Defendant from the United States to Defendant's

1 native country of Mexico.

2 Accordingly, the government respectfully requests that the above-captioned case be
3 dismissed.

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5 DATED: January 31, 2011

Respectfully submitted,

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7 MELINDA HAAG
United States Attorney

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9 /S/
SUZANNE M. DeBERRY
10 Special Assistant United States Attorney

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16 **ORDER**

17 Upon application of the United States, and good cause having been shown therefor,
18 **IT IS HEREBY ORDERED** that the above-captioned Complaint is DISMISSED.

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21 DATE: February 1, 2011

22 Paul S. Grewal
PAUL S. GREWAL
United States Magistrate Judge